



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

July 27, 2021

BY CM/ECF

The Honorable P. Kevin Castel
United States District Judge
Southern District of New York
Daniel P. Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Nicholas Joseph*, S2 20 Cr. 603 (PKC)

Dear Judge Castel:

Earlier today, a grand jury returned a S2 20 Cr. 603 (PKC) superseding indictment (the "S2 Superseding Indictment"), which expands the scope of the racketeering conspiracy charged in Count One. The Government respectfully requests that the Court conduct an arraignment of the defendant on the S2 Superseding Indictment at the final pretrial conference scheduled for August 24, 2021. The Government also respectfully requests that the Court exclude time from today until September 7, 2021 under the Speedy Trial Act. The exclusion of time will allow for the defendant to continue to receive and review discovery materials in this case and for the parties to prepare for trial. Defense counsel takes no position on the Government's request to exclude time.

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney


By: /s/ Emily A. Johnson
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cc: Counsel of record (by CM/ECF)

Arraignment on the S2 Indictment is scheduled for August 24, 2021 at 2:30 p.m. in Courtroom 11D. I find that the ends of justice will be served by granting a continuance and that taking such action outweighs the best interest of the public and the defendant in a speedy trial. The reasons for this finding are that the grant of the continuance is needed to allow for defendant to continue to receive and review discovery materials in this case and for the parties to prepare for trial. Accordingly, the time between today and the trial date of September 7, 2021 is excluded.

SO ORDERED.

Dated: 8/5/2021


P. Kevin Castel
United States District Judge